

Remarks

Claims 15-37 are now pending in this application. Applicants have cancelled claims 1-14 and presented new claims 15-37 to clarify the present invention. Applicants respectfully request favorable reconsideration of this application.

Applicants have amended the specification to insert reference to the priority application and section headings.

Applicants have provided an abstract of the disclosure herewith on a separate sheet.

The Examiner rejected claims 1-13 under 35 U.S.C. § 112, second paragraph. The snap fit principle is not recited in newly presented claims 14-37. Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 112, second paragraph.

The Examiner rejected claims 1, 2, 7, and 11 under 35 U.S.C. § 102(b) as being anticipated by French patent 2,614,188. The Examiner rejected claims 6, 10, and 14 under 35 U.S.C. § 103(a) as being unpatentable over French patent 2,614,188 in view of U.S. patent 3,875,607 to Rosseau. The Examiner rejected claims 5, 6, 8, 9, 12 and 13 under 35 U.S.C. § 103(a) as being unpatentable over French patent 2,614,188 in view of U.S. patent application publication 2003/0172484 to Lendabarker. The Examiner rejected claims 3 and 4 under 35 U.S.C. § 103(a) as being unpatentable over French patent 2,614,188 in view of U.S. patent 5,819,357 to Gould.

French patent 2,614,188 does not disclose the present invention as recited in newly presented independent claim 14 since, among other things, French patent 2,614,188 does not disclose a base that includes elongated channels extending radially through the base and being open at an edge of the base. Rather, French patent 2,614,188 discloses closed slots such as are shown in Figs. 3-5. Such slots require bristle segments to be installed from above, as particularly shown in Figs. 4 and 5. To access the slots to permit worn bristle segments to be removed and new bristle segments to be installed, the side brush disclosed by French patent 2,614,188 must be totally removed from a brushing machine.

On the other hand, elongated channels of the present invention permit the bristle segments to be easily slid into place without removing the side brush and completely disassembling the brushing machine. The side brush only needs to be loosened to a degree that permits the bristle elements to be slid out of the channels in a radial direction. This makes the present invention much more functional and efficient than known side brushes.

In view of the above, French patent 2,614,188 does not disclose all elements of the present invention as recited in newly presented claims 15 or claims 16-37, which depend from claim 15. Since French patent 2,614,188 does not disclose all elements of the present invention as recited in newly presented claims 15-38, the present invention, as recited in claims 15-38, is not properly rejected under 35 U.S.C. § 102(b). For an anticipation rejection under 35 U.S.C. § 102(b) no difference may exist between the claimed invention and the reference disclosure. *See Scripps Clinic and Research Foundation v. Genentech, Inc.*, 18 U.S.P.Q. 841 (Fed. Cir. 1984).

Along these lines, anticipation requires the disclosure, in a cited reference, of each and every recitation, as set forth in the claims. *See Hodosh v. Block Drug Co.*, 229 U.S.P.Q. 182 (Fed. Cir. 1986); *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985); *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986); and *Akzo N.V. v. U.S. International Trade Commissioner*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986).

The combination of French patent 2,614,188 and Rosseau does not suggest the present invention as recited in newly presented claims 14-37, since, among other things, neither French patent 2,614,188 nor Rosseau suggests a base that includes elongated channels extending radially through the base and being open at an edge of the base. As discussed above, such channels provide advantages as compared to the slots suggested by French patent 2,614,188. Therefore, the combination of French patent 2,614,188 and Rosseau does not suggest the present invention as recited in claims 14-37.

The combination of French patent 2,614,188 and Lendabarker does not suggest the present invention as recited in newly presented claims 14-37 since, among other things, neither French patent 2,614,188 nor Lendabarker suggests a base that includes elongated channels extending radially through the base and being open at an edge of the base. As discussed above, such channels provide advantages as compared to the slots suggested by French patent 2,614,188. Therefore, the combination of French patent 2,614,188 and Lendabarker does not suggest the present invention as recited in claims 14-37.

The combination of French patent 2,614,188 and Gould does not suggest the present invention as recited in newly presented claims 14-37 since, among other things, neither French patent 2,614,188 nor Gould suggests a base that includes elongated channels extending radially through the base and being open at an edge of the base. As discussed above, such channels provide advantages as compared to the slots suggested by French patent 2,614,188. Therefore, the combination of French patent 2,614,188 and Gould does not suggest the present invention as recited in claims 14-37.

In view of the above, the references relied upon in the office action, whether considered alone or in combination, do not disclose or suggest patentable features of the present invention. Therefore, the references relied upon in the office action, whether considered alone or in combination, do not anticipate the present invention or make the present invention obvious. Accordingly, Applicants respectfully request withdrawal of the rejection based upon the cited references.

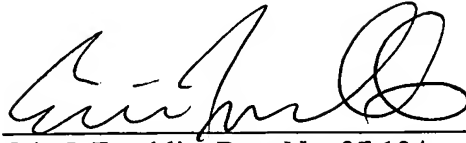
In conclusion, Applicants respectfully request favorable reconsideration of this case and early issuance of the Notice of Allowance.

If an interview would advance the prosecution of this case, Applicants urge the Examiner to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge fee insufficiency and credit overpayment associated with this communication to Deposit Account No. 22-0261.

Date: 9/11/06

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric J. Franklin", written over a horizontal line.

Eric J. Franklin, Reg. No. 37,134

Attorney for Applicants

Venable LLP

575 Seventh Street, NW

Washington, DC 20004

Telephone: 202-344-4936

Facsimile: 202-344-8300

Abstract of the Disclosure

A side brush, which is adapted to be mounted on the body of a sweeping machine, for use as a brush rotatable about a rotation axis, and which includes a base and a plurality of individual bristle segments detachably mountable thereto, having bristles included therein integrated for a solid unit with a frame member joining the same. The base includes a substantially planar disc assembly which is provided integrally with a coupling system for coupling the bristle segments therewith on a snap fit principle. The coupling system includes elongated channels disposed in the base in a substantially radial direction and extending through the base, opening all the way to the edge thereof, which enable coupling the bristle segments immovably to the engagement with the body of a sweeping machine by means of the base with fasteners interconnecting the same.